

# Senate File 2222 - Enrolled

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1 1 SENATE FILE 2222  
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1 3 AN ACT  
1 4 RELATING TO PAYMENT OF WAGES.  
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1 6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
1 7  
1 8 Section 1. Section 91A.3, subsection 3, paragraph a,  
1 9 unnumbered paragraph 1, Code Supplement 2007, is amended to  
1 10 read as follows:  
1 11 The wages paid under subsection 1 shall be ~~sent to the~~  
1 12 ~~employee by mail or be~~ paid at the employee's normal place of  
1 13 employment during normal employment hours or at a place and  
1 14 hour mutually agreed upon by the employer and employee, or the  
1 15 employee may elect to have the wages sent for direct deposit,  
1 16 on or by the regular payday of the employee, into a financial  
1 17 institution designated by the employee. Upon written request  
1 18 by the employee, wages due may be sent to the employee by  
1 19 mail. The employer shall maintain a copy of the request for  
1 20 as long as it is effective and for at least two years  
1 21 thereafter. An employee hired on or after July 1, 2005, may  
1 22 be required, as a condition of employment, to participate in  
1 23 direct deposit of the employee's wages in a financial  
1 24 institution of the employee's choice unless any of the  
1 25 following conditions exist:  
1 26 Sec. 2. Section 91A.3, subsection 3, paragraph b, Code  
1 27 Supplement 2007, is amended to read as follows:  
1 28 b. If the employer fails to ~~send~~ pay an employee's wages  
1 29 ~~for direct deposit~~ on or by the regular payday in accordance  
1 30 with this subsection, the employer is liable for the amount of  
1 31 any overdraft charge if the overdraft is created on the  
1 32 employee's account because of the employer's failure to ~~send~~  
1 33 pay the wages on or by the regular payday. The overdraft  
1 34 charges may be the basis for a claim under section 91A.10 and  
1 35 for damages under section 91A.8.  
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2 5 JOHN P. KIBBIE  
2 6 President of the Senate  
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2 10 PATRICK J. MURPHY  
2 11 Speaker of the House  
2 12 I hereby certify that this bill originated in the Senate and  
2 13 is known as Senate File 2222, Eighty-second General Assembly.  
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2 17 \_\_\_\_\_  
2 18 MICHAEL E. MARSHALL  
2 19 Secretary of the Senate  
2 20 Approved \_\_\_\_\_, 2008  
2 21  
2 22 \_\_\_\_\_  
2 23 CHESTER J. CULVER  
2 24 Governor